



### **3. COMPOSITION OF THE COLLECTIVE ACTION**

Plaintiffs seek to sue on behalf of themselves and also on behalf of all persons who have worked for the City of New York, New York, at any of its Department of Homeless Services facilities at any time since November 9, 2013, as Peace Officers or Sergeants.

### **4. YOUR RIGHT TO PARTICIPATE IN THIS LAWSUIT**

If you have worked as a Peace Officer or Sergeant for the City of New York, New York's Department of Homeless Services facilities at any time since November 9, 2013, you may join this lawsuit.

**To join you must mail the "Consent to Become Party Plaintiff" form attached to this document to plaintiffs' counsel so that it is postmarked by [60 days from date notice is approved by the Court], which is the last day that plaintiffs can join or "opt-in" to this lawsuit.**

Plaintiffs' counsel's address is:

Gregory K. McGillivary  
David Ricksecker  
WOODLEY & MCGILLIVARY LLP  
1101 Vermont Avenue, N.W., Suite 1000  
Washington, D.C. 20005  
(202) 833-8855 (phone)  
(866) 833-8860 (toll-free)  
(202) 452-1090 (Facsimile)  
gkm@wmlaborlaw.com

Hope Pordy  
Spivak Lipton LLP  
1700 Broadway, Floor 21  
New York, NY 10019  
(212) 765-2100 (phone)  
hpordy@spivaklipton.com

**If you fail to return the "Consent To Become Party Plaintiff" form so that it is received by plaintiffs' counsel postmarked by [60 days from date notice is approved by the Court] you will not be included in this lawsuit. If you do not want to join this lawsuit, you do not need to do anything.**

### **5. EFFECT OF JOINING THIS LAWSUIT**

If you choose to join the lawsuit, you will be bound by the Court Judgment or settlement, if any, of the parties involved. That is, when the Court decides whether the City of New York, New York violated the FLSA, that decision will apply to all persons who have joined this lawsuit.

If you join you will receive a letter from plaintiffs' counsel within 14 days of joining, and if you do not receive this letter you should contact the attorneys at the above address. Plaintiffs' counsels are being paid on a contingency fee basis, which means that if there is no recovery, the attorneys will not charge you a fee for their services. If there is a recovery, plaintiffs' counsels will be paid a portion of any settlement obtained or money judgment awarded by the jury or the Court.

By joining this lawsuit, you will designate individually named plaintiffs Henry Campbell, Jermaine Abraham, Edwin Rosario, Jessica Maniotis and Sheri Silver as your agents for purposes of the claim of failure to compensate overtime work performed. These individuals will be authorized to make decisions on your behalf concerning all aspects of the lawsuit for which they have been designated as your agent. If you join the lawsuit, plaintiffs' counsel will become your attorneys, and you will be entitled to communicate with, provide input, and receive advice directly from them.

If you join this lawsuit, you may be asked to give testimony and information, including producing documents, about your work for the Department of Homeless Services, to help the Court decide if the defendants have violated the FLSA.

#### **6. NO LEGAL EFFECT IN NOT JOINING THIS LAWSUIT**

If you choose not to join this lawsuit, you will not be affected by any decisions, judgments or settlement rendered in this case, whether favorable or unfavorable. It is entirely your own decision to join this lawsuit.

#### **7. FURTHER INFORMATION**

Further information about this lawsuit and/or the deadline for filing a "Consent to Become Party Plaintiff," may be obtained by writing, sending an e-mail, or calling plaintiffs' counsel.

#### **8. YOUR LEGAL REPRESENTATION IF YOU JOIN**

If you choose to join this lawsuit, your interests will be represented by the plaintiffs named in paragraph 5, through their attorneys, as counsel for the collective action opt-ins. In addition to plaintiffs' attorneys Gregory K. McGillivray and David Ricksecker, counsel for the opt-in class includes Hope Porady, Spivak Lipton LLP, 1700 Broadway, Floor 21, New York, NY 10019, (212) 765-2100, [hporady@spivaklipton.com](mailto:hporady@spivaklipton.com).

If you choose to join this lawsuit, you may elect to retain your own counsel. If you retain your own counsel, you will not be represented by the above-listed counsel for the opt-in class.

Defendant City of New York is represented in this action by the following counsel: Kerrin A. Bowers in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007, (212) 356-2473, [kbowers@law.nyc.gov](mailto:kbowers@law.nyc.gov).